



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Eric Olson
Norbert Frey

Serial No.: 10/045,594

Filed: November 7, 2001

For: METHODS AND COMPOSITIONS
RELATING TO MUSCLE SPECIFIC
SARCOMERIC CALCINEURIN-
BINDING PROTEINS (CALSARCINS)

Group Art Unit: 1632

Examiner: Valarie E. Bertoglio

Atty. Dkt. No.: UTSD:729US

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
August 29, 2003	
Date	Steven L. Highlander

RESPONSE TO OFFICE COMMUNICATION

MS SEQUENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Communication, dated July 29, 2003, there are enclosed herewith:

- (a) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (b) Computer Readable Form of Sequence Listing;
- (c) Paper Copy of Sequence Listing; and

(d) A copy of Office Communication.

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/UTSD:729US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: August 29, 2003



image

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August 29, 2003

CERTIFICATE OF MAILING
37 C.F.R. 1.8

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August 29, 2003
Date Steven L. Highlander

MS SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/045,594 entitled "METHODS AND COMPOSITIONS RELATING TO MUSCLE SPECIFIC SARCOMERIC CALCINEURIN-BINDING PROTEINS (CALSARCINS)" – Eric Olson and Norbert Frey*
Our reference: UTSD:729US

Sir:

Please find enclosed:

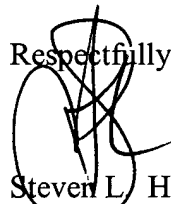
- (1) A Response to Office Communication mailed July 29, 2003.
- (2) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (3) Computer Readable Form of Sequence Listing;
- (4) Paper Copy of Sequence Listing;
- (5) Copy of Office Communication; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

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Commissioner for Patents
August 29, 2003
Page 2

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/UTSD:729US.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "SLH", written over a circular stamp or seal.

Steven L. Highlander
Reg. No. 37,642

SLH/mar
Encl: as noted



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,594	11/07/2001	Eric Olson	UTSD:729US/SLH	8497

7590

07/29/2003

Steven L. Highlander
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EXAMINER

BERTOGLIO, VALARIE E

ART UNIT

PAPER NUMBER

1632

15

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
Date(s) Docketed: 8/29/03
listing due 12/1/03
final deadline
AUG 02 2003
Client: UTSD: 729 US
Attorney(s): OLP/SLH
Initials: *cm* *JS*
8/29/03



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/045594	11/07/2001	Olson	UTSD:729US/SLH

EXAMINER	
Valarie Bertoglio	
ART UNIT	PAPER NUMBER
1632	15

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

The communication filed **May 27, 2003** is not fully responsive to the Office communication mailed **04/22/2003** for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a **TIME PERIOD** of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Valarie Bertoglio whose telephone number is (703) 305-5469. The examiner can normally be reached on Monday through Wednesday from 6:00 to 2:30 (Eastern Standard Time). Should the examiner be unavailable, inquiries should be directed to Deborah Reynolds, Supervisory Primary Examiner of Art Unit 1632, at (703) 305-4051. Any administrative or procedural questions should be directed to Dianiece Jacobs, Patent Analyst, at (703) 305-3482. Papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CMI Fax Center number is (703) 872-9306.

Valarie Bertoglio
Patent Examiner
Group 1632

PETER PARAS
PATENT EXAMINER



Application No.: **10/090983**

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: CRF submitted 05/27/2003 is not readable.

If Necessary, Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE